

**SUPREME COURT MINUTES
WEDNESDAY, JULY 16, 2008
SAN FRANCISCO, CALIFORNIA**

S029588

**PEOPLE v. RICHARDSON
(CHARLES KEITH)**

Rehearing denied
The opinion is modified on the court's own motion.

S127275

**RICHARDSON (CHARLES
KEITH) v. S.C. (PEOPLE)**

Rehearing denied
The opinion is modified on the court's own motion.
Chin, J., is of the opinion the petition should be granted.

S139762 C046869 Third Appellate District

**YOUNT (STEVEN) v. CITY
OF SACRAMENTO**

Rehearing denied

S029588

**PEOPLE v. RICHARDSON
(CHARLES KEITH)**

Opinion modified - no change in judgment

S127275

**RICHARDSON (CHARLES
KEITH) v. S.C. (PEOPLE)**

Opinion modified - no change in judgment

S163577**IMPERIAL MERCHANT
SERVICES, INC. v. HUNT
(BRANDY G.)**

Request for certification granted

The request, made pursuant to California Rules of Court, rule 8.548 (a)(2), that this court decide a question of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit, is granted.

For the purposes of briefing and oral argument, plaintiff Imperial Merchant Services, Inc., a California Corporation doing business as Check Recovery Services, is deemed petitioner in this court. (Cal. Rules of Court, rule 8.520(a)(6).)

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S163791 H030551 Sixth Appellate District**PEOPLE v. SPILLMAN
(GLENN BARRY)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Chun*, S157601 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S164248 D050137 Fourth Appellate District, Div. 1**PEOPLE v. BALTAZAR (LUIS
D.)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Nguyen*, S154847 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S157913**FRANKLIN (EDWIN V.) ON
H.C.**

Order to show cause issued; returnable in Court of Appeal, Fifth Appellate District

The Director of the Department of Corrections and Rehabilitation is ordered to show cause before the Court of Appeal, Fifth Appellate District, when the matter is placed on calendar, why petitioner is not entitled to dismissal of the petition filed under the Sexually Violent Predator Act (Welf. & Inst. Code, § 6601, subd. (a)(2)) and release from custody in light of this court's opinion in *In re Smith on Habeas Corpus* (2008) 42 Cal.4th 1241.

The return is to be filed on or before August 15, 2008.

The application for a stay of all proceedings in *People v. Edwin Vernal Franklin*, Kings County Superior Court Case No. 04CM2486, is granted pending further order of the Court of Appeal.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S163217 B207516 Second Appellate District, Div. 7**BLUEPRINT TEST
PREPARATION LLC. v. S.C.
(ROBIN SINGH EDUCATIONAL
SERVICES, INC.)**

Review granted; transferred to Court of Appeal, Second Appellate District, Division Seven, to issue alt. writ

Petition for review is granted.

The matter is transferred to the Court of Appeal, Second Appellate District, Division Seven, with directions to vacate its order denying mandate and/or prohibition and to issue an alternative writ to be heard before that court when the proceeding is ordered on calendar. This court's May 5, 2008, order staying enforcement of the trial court's April 15, 2008, discovery order remains in effect pending further order of the Court of Appeal.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S164080 B205025 Second Appellate District, Div. 5**CALIFORNIA INSURANCE
GUARANTEE ASSOCIATION
v. WORKERS'
COMPENSATION APPEALS
BOARD (ZACHARY)**

Review granted; transferred to Court of Appeal, Second Appellate District, Division Five, to issue writ/review

The petition for review is granted.

The matter is transferred to the Court of Appeal, Second Appellate District, Division Five, with directions to vacate its order denying a writ of review and to issue a writ of review to be heard before that court when the proceeding is ordered on calendar.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S152984 F047855 Fifth Appellate District**PEOPLE v. YBARRA
(RONALD ENRIQUE)**

Transferred to Court of Appeal, Fifth Appellate District, after hold

The above-entitled matter is transferred to the Court of Appeal, Fifth District, for reconsideration in light of *People v. Gonzalez* (2008) 43 Cal.4th 1118. (Cal. Rules of Court, rule 8.528(d).)

The request for partial publication, filed on July 8, 2008, is denied.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S157246 F051027 Fifth Appellate District**PEOPLE v. WARNER
(DOUGLAS WILLIAM)**

Transferred to Court of Appeal, Fifth Appellate District, after hold

The above-entitled matter is transferred to the Court of Appeal, Fifth Appellate District, for reconsideration in light of *People v. Gonzalez* (2008) 43 Cal.4th 1118. (Cal. Rules of Court, rule 8.528(d).)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S159495 B194690 Second Appellate District, Div. 4 **PEOPLE v. SUN (HUI)**

Transferred to Court of Appeal, Second Appellate District, Division Four, after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, for reconsideration in light of *People v. Gonzalez* (2008) 43 Cal.4th 1118. (Cal. Rules of Court, rule 8.528(d).)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S160601 F051882 Fifth Appellate District**PEOPLE v. MCFEARSON
(DAVID)**

Transferred to Court of Appeal, Fifth Appellate District, after hold

The above-entitled matter is transferred to the Court of Appeal, Fifth Appellate District, for reconsideration in light of *People v. Gonzalez* (2008) 43 Cal.4th 1118. (Cal. Rules of Court, rule 8.528(d).)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S149660**SOUTH COAST AIR
QUALITY MANAGEMENT
DISTRICT v. CALIFORNIA
PUBLIC UTILITIES. (ABAG
PUBLICLY OWNED
RESOURCES)****ENERGY**

Petition for writ of review denied

The petition for writ of mandate is denied as moot in light of the Petition for Writ of Review filed by petitioner South Coast Air Quality Management District in matter S151156.

Baxter, Chin, and Corrigan, JJ., were recused and did not participate.

S151156**SOUTH COAST AIR
QUALITY MANAGEMENT
DISTRICT v. CALIFORNIA
PUBLIC UTILITIES
COMMISSION (ABAG
PUBLICLY OWNED****ENERGY****RESOURCES)**

Petition for writ of review denied

The February 28, 2008, Request for Judicial Notice filed by respondent Public Utilities Commission is granted, with the exception of exhibits F and I, as to which the requests are denied. The March 4, 2008, Request for Judicial Notice filed by petitioner Ratepayers for Affordable Clean Energy is granted.

Baxter, Chin, and Corrigan, JJ., were recused and did not participate.

S151176**SAN DIEGO, CITY OF v.
CALIFORNIA PUBLIC
UTILITIES COMMISSION
(ABAG PUBLICLY OWNED
ENERGY RESOURCES)**

Petition for writ of review denied

The February 28, 2008, Request for Judicial Notice filed by respondent Public Utilities Commission is granted, with the exception of exhibits F and I, as to which the requests are denied. The March 4, 2008, Request for Judicial Notice filed by petitioner Ratepayers for Affordable Clean Energy is granted.

Baxter, Chin, and Corrigan, JJ., were recused and did not participate.

S163045 B198408 Second Appellate District, Div. 7

Petition for review denied

Moreno, J., is of the opinion the petition should be granted.

**PEOPLE v. PRUITT
(BRANDON LAMAR)**

S163146 B189262 Second Appellate District, Div. 5

Petition for review denied; CA opinion decertified

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above entitled appeal filed March 20, 2008, which appears at 160 Cal.App.4th 1579. (Cal. Const., art. VI, § 14; rule 8.1105(c)(1), Cal. Rules of Court.)

Kennard, J., is of the opinion the petition should be granted.

**HAMMOND (YVONNE) v.
COUNTY OF LOS ANGELES**

S163249 H032770 Sixth Appellate District

Petition for review denied

**NAVARRO (KARLA
STEPHANIE) v. S.C.
(PEOPLE)**

S163298 C054597 Third Appellate District

Petition for review denied

The request for judicial notice is granted.

**VOICES FOR RURAL
LIVING v. DEPARTMENT OF
TRANSPORTATION/(LAKES
ENTERTAINMENT, INC.)**

S163313 B196695 Second Appellate District, Div. 2

Petition for review denied

**LYONS (STEPHEN J.) v. FIRE
INSURANCE EXCHANGE**

S163348 C054596 Third Appellate District

**VOICES FOR RURAL
LIVING/(EL DORADO
COUNTY) v. DEPARTMENT
OF TRANSPORTATION/
(LAKES ENTERTAINMENT,
INC.)/(SHINGLE SPRINGS
BAND OF MIWOK INDIANS)**

Petition for review denied

S163413 H031373 Sixth Appellate District

**PEOPLE v. SALDANA
(DAVID)**

Petition for review denied

Kennard and Werdegar, JJ., are of the opinion the petition should be granted.

S163451 H031794 Sixth Appellate District
Petition for review & depublication request(s) denied

M. (ALICE), IN RE

Kennard and Chin, JJ., are of the opinion the petition should be granted.

S163494 C053860 Third Appellate District

**PEOPLE v. MARK (DALE
LIONELL)**

Petition for review denied

S163517 C051282 Third Appellate District

**PEOPLE v. BEARD
(MICHAEL WILLIAM)**

Petition for review denied

S163557 B197763 Second Appellate District, Div. 5

**PEOPLE v. WHELAN
(TIMOTHY)**

Petition for review denied

S163562 B198712 Second Appellate District, Div. 2

**PEOPLE v. RODRIGUEZ
(ROBERT)**

Petition for review denied

S163570 B198078 Second Appellate District, Div. 5 **M. (VINCENT), IN RE**

Petitions for review denied

Kennard and Chin, JJ., are of the opinion the petitions should be granted.

S163591 D052620 Fourth Appellate District, Div. 1 **A. (ANTONIO), IN RE**

Petition for review denied

S163604 B195585 Second Appellate District, Div. 2 **PEOPLE v. HEREDIA
(JESSIE)**

Petition for review denied

S163610 A117006 First Appellate District, Div. 2 **PEOPLE v. HERNANDEZ
(JOSE ALBERTO)**

Petition for review denied

S163619 E041953 Fourth Appellate District, Div. 2 **PEOPLE v. VEGA (MANUEL)**

Petitions for review denied

S163622 C055703 Third Appellate District **PEOPLE v. OTTO (RICHARD
STEVEN)**

Petition for review denied

S163644 G038201 Fourth Appellate District, Div. 3 **PEOPLE v. RIVERS (JAMAR
WENDELL)**

Petition for review denied

S163650 C058741 Third Appellate District **FOX (JERMAINE) ON H.C.**

Petition for review denied

S163665 B193253 Second Appellate District, Div. 2 **L. FLYNT, LTD.-8484, INC. v.
JAC CAPITAL FUND
LLC./(LITT MORTGAGE)**

Petition for review denied

S163678 B206705 Second Appellate District, Div. 5
Petition for review denied

LOWE (DONALD) ON H.C.

S163689 B183249 Second Appellate District, Div. 8
Petition for review denied

RIVAS (JESUS) ON H.C.

S163703 A115799 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. EARBY
(DARNELL JOSEPH)**

S163708 A115296 First Appellate District, Div. 4

Petition for review denied

**CERNA (SONIA) v. CITY OF
OAKLAND**

S163716 D051512 Fourth Appellate District, Div. 1

Petition for review denied

**MENDEZ (EDUARDO) v. S.C.
(PEOPLE)**

S163720 D050461 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. GUZMAN
(SAMUEL SAMSON)**

S163743 C054442 Third Appellate District

Petition for review denied

**PEOPLE v. SAVALA
(ANTHONY)**

S163751 E045676 Fourth Appellate District, Div. 2

Petition for review denied

**PERROTTE (JEFFREY) ON
H.C.**

S163753 C051738 Third Appellate District

Petition for review denied

**PEOPLE v. MENDOZA
(IGNACIO MORFIN)**

S163761 B207624 Second Appellate District, Div. 2

Petition for review denied

**FERRANDO (GIANCARLO) v.
S.C. (PENUELA)**

S163770 B192112 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. SNOWDEN
(DERRICK CHARLES)**

S163790 A116393 First Appellate District, Div. 5

The petition for review is denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court decides *Oregon v. Ice*, No. 07-901.

**PEOPLE v. STULL (EDWIN
DREW)**

S163799 E040980 Fourth Appellate District, Div. 2
(GENE

Petition for review denied

**PEOPLE v. DOUGHTY
CASTRO)**

S163800 A115316 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MAKI (RICHARD
TRAVIS)**

S163837 G037696/G039457 Fourth Appellate District, Div. 3 **PEOPLE v. HUERTA
(SANTIAGO)**

Petition for review denied

S163839 E041876 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. FIGUEROA
(BERNABE SILVA)**

S163850 E041423 Fourth Appellate District, Div. 2
(DANNY)

Petition for review denied

PEOPLE v. DALLAS

S163870 F052641 Fifth Appellate District

Petition for review denied

**SANCHEZ (JOSE REFUGIO
BANUELOS) v. CITY OF LOS
BANOS**

S163882 E042499 Fourth Appellate District, Div. 2

Petition for review & publication request(s) denied

**PEOPLE v. RAMIREZ
(GUSTAVO BARAJAS)**

S163899 A115354 First Appellate District, Div. 4

Petition for review denied

**GALLEGOS (JORGE) v.
STATE OF CALIFORNIA**

S163915 D050882 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. JANELLE
(JOSEPH)**

S163960 B196322 Second Appellate District, Div. 2

Petition for review & publication request(s) denied

**YANG (JEN-KANG) v.
FIELDS (LARRY H.)**

S163968 G038213 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. MCKINNEY
(JOHN KIRK)**

S163986 H030927 Sixth Appellate District

Petition for review denied

**PEOPLE v. TALAMANTEZ
(JESSE)**

S164013 A121492 First Appellate District, Div. 4

Petition for review denied

COLT (THOMAS M.) ON H.C.

S164077 A121458 First Appellate District, Div. 3

Petition for review denied

**MILES (GRACE) v. S.C.
(MAKASHIMA & A.G.
EDWARDS & SONS)**

S164088 H031337 Sixth Appellate District

Petition for review denied

**BRATCHER (RONALD) v.
CITY OF SAN JOSE
FEDERATED RETIREMENT
SYSTEM**

S164106 A121537 First Appellate District, Div. 3
ON

Petition for review denied

**NORDLOF (MICHAEL G.)

H.C.**

S164121 B198440 Second Appellate District, Div. 1

Petition for review denied

**CASDEN PARK LA BREA
RETAIL LLC. v. ROSS DRESS
FOR LESS, INC.**

S164150 C055060 Third Appellate District

Petition for review denied

**PEOPLE v. WOOLEVER, JR.,
(ROBERT ALVIN)**

S164180 B194372 Second Appellate District, Div. 8

Petition for review denied

**ENPALM LCC. v. TEITLER
FAMILY TRUST**

S164187 F052920 Fifth Appellate District

Petition for review denied

**PEOPLE v. FIGUEROA
(VERONICA AGUILAR)**

S164195 B191050 Second Appellate District, Div. 3

Petition for review denied

**TUAL (BLANCHARD E.) v.
BLAKE (ROBERT)**

S164198 B198804 Second Appellate District, Div. 5

Petition for review denied

(*People v. Clark* (1926) 198 Cal. 453, 454; *People v. Redinger* (1880) 55 Cal. 290, 298-299; *People v. Kubby* (2002) 97 Cal.App.4th 619, 629.)

**PEOPLE v. CLASSON
(DANIEL)**

S164199 A114558 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. JACKSON
(WAYNE ELIOT)**

S164207 B195622 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. ARISTONDO
(EDY RONALDO)**

S164220 D049788 Fourth Appellate District, Div. 1

Petition for review denied

**LUCE, FORWARD,
HAMILTON & SCRIPPS LLP.
v. KOCH (PAUL)**

S164223 B197073 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. O'HALLORAN
(THOMAS)**

S164225 B201891 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. AGUINALDO
(MICHAEL S.)**

S164232 F048023 Fifth Appellate District

**PEOPLE v. CASTANEDA
(ISAAC SCOTT)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Nguyen*, S154847.

S164239 A121493 First Appellate District, Div. 3

**BEHRENDT (VALERIE) v.
S.C. (PITTO)**

Petition for review denied

The request for judicial notice is denied.

The request to augment the record on review is denied.

S164245 B195704 Second Appellate District, Div. 4

**PEOPLE v. INGA (WAGNER
UBALDO)**

Petition for review denied

S164252 G037999 Fourth Appellate District, Div. 3

**SIERRA CLUB v. CITY OF
ORANGE/(IRVINE COMPANY
LLC.)**

Petition for review denied

S164258 E041720 Fourth Appellate District, Div. 2

**PEOPLE v. ESTRADA
(RIGOBERTO)**

Petition for review denied

S164264 B201074 Second Appellate District, Div. 5
Petition for review denied

PEOPLE v. LIEU (JOHNY XI)

S164276 E045831 Fourth Appellate District, Div. 2

**DEFROE (DARNELL
WILLIAM) v. S.C.**

Petition for review denied

S164279 B203576 Second Appellate District, Div. 5

**PEOPLE v. COLLEY
(JOHNNY LEE)**

Petitions for review denied

S164288 F053699 Fifth Appellate District
Petition for review denied

G. (JORGE), IN RE

S164294 B200435 Second Appellate District, Div. 7
Petition for review denied

**PEOPLE v. JARAMILLO
(FRANKIE FIDEL)**

S164314 D052950 Fourth Appellate District, Div. 1
Petition for review denied

**CHAIDEZ (ROBERTO) v. S.C.
(PEOPLE)**

S164317 B201009 Second Appellate District, Div. 5
Petition for review denied

C. (ALVARO), IN RE

S164324 A114732 First Appellate District, Div. 4
Petition for review denied

PEOPLE v. DUCHINE (ERIC)

S164328 A117837 First Appellate District, Div. 5
Petition for review denied

P. (DAJUAN), IN RE

S164409 B203519 Second Appellate District, Div. 5

Petition for writ of mandate/prohibition denied

**WASHINGTON (DONALD) v.
COURT OF APPEAL,
SECOND APPELLATE
DISTRICT, DIVISION FIVE
(PEOPLE)**

S164520

**BENNETT (BRIAN) v.
BOWEN (DEBRA)/
(HOLLINGSWORTH)**

Petition for writ of mandate/prohibition & stay denied
The Request For Judicial Notice In Support Of Petition For Extraordinary Relief, Including Writ
Of Mandate And Request For Stay, received June 20, 2008, is granted.

Secretary of State Bowen's request that we judicially notice the excerpts from the Summary of General Election Calendar contained in her preliminary response to the Petition For Extraordinary Relief, Including Writ of Mandate And Request For Stay, filed June 30, 2008, is granted. The Request For Judicial Notice In Support of letter brief of Amici Curiae, received July 11, 2008, is granted.

The Application for Stay and Petition For Extraordinary Relief, Including Writ of Mandate, filed June 20, 2008, is denied.

The Motion By Campaign For California Families, Randy Thomasson, And Larry Bowler To Intervene As Real Parties In Interest, filed June 30, 2008, is denied as moot.

S164565 H032810 Sixth Appellate District

Petition for review and application for stay denied

**DENNY'S, INC. v. S.C.
(INIGUEZ)**

S164706 E045987 Fourth Appellate District, Div. 2

Petition for review and application for stay denied

**MCGLAUGHLIN (COLLIN
LEE) v. S.C. (PEOPLE)**

S165019 B209037 Second Appellate District, Div. 5

Petition for review and application for stay denied

**ROSENTHAL (PATRICIA) v.
S.C. (LAROSE)**

S151511

Petition for writ of habeas corpus denied

**WENDEMAGENGHEHU
(ISRAEL) ON H.C.**

S156833

Petition for writ of habeas corpus denied

**MANCILLA (MOSES R.) ON
H.C.**

S158251

Petition for writ of habeas corpus denied

ROE (JEFF) ON H.C.

(See *In re Dexter* (1979) 25 Cal.3d 921; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S159078**JIMENEZ (ARTURO
ACEVES) ON H.C.**

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S159716**ELLINGTON (MARCUS
RUBEN) ON H.C.**

Petition for writ of habeas corpus denied

S160050**GOMEZ (LOUIS) ON H.C.**

Petition for writ of habeas corpus denied

S160091**THOMAS II (JEROME) ON
H.C.**

Petition for writ of habeas corpus denied

S160208**GLASPER (CHARLES A.) ON
H.C.**

Petition for writ of habeas corpus denied
(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S160267**LEGREE (BENJAMIN) ON
H.C.**

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S160292**JEFFRIES (ALLEN LYNN)
ON H.C.**

Petition for writ of habeas corpus denied

S160315**WATTS (JOHN L.) ON H.C.**

Petition for writ of habeas corpus denied
(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S160355

Petition for writ of habeas corpus denied

HECTOR (EDWYN O.) ON H.C.

S160393

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

RUSSELL (DONALD) ON H.C.

S160487

Petition for writ of habeas corpus denied

STONE (ELNORRIS) ON H.C.

S160500

Petition for writ of habeas corpus denied

WARD (JEROME) ON H.C.

S160523

Petition for writ of habeas corpus denied

**BOLDT (GEOFFREY LYNN)
ON H.C.**

S160526

Petition for writ of habeas corpus denied

STEWART (MICHAEL) ON H.C.

S160528

Petition for writ of habeas corpus denied

**JEFFRIES (ALLEN LYNN)
ON H.C.**

S160535

Petition for writ of habeas corpus denied

COOKS (HARRY) ON H.C.

S160542

Petition for writ of habeas corpus denied

(See *In re Miller* (1941) 17 Cal.2d 734; *In re Clark* (1993) 5 Cal.4th 750.)

**JEFFRIES (ALLEN LYNN)
ON H.C.**

S160543

Petition for writ of habeas corpus denied

ELLIOT (ROBERT) ON H.C.

S160546

Petition for writ of habeas corpus denied

**SAMUEL'S (JOE LEROY) ON
H.C.**

S160562

Petition for writ of habeas corpus denied

VASQUEZ (FRANK) ON H.C.

S160575

Petition for writ of habeas corpus denied

**BREWER (RICHARD
ANTHONY) ON H.C.**

S160576

Petition for writ of habeas corpus denied

**VICKERS, JR., (LARRY) ON
H.C.**

S160578

Petition for writ of habeas corpus denied
Corrigan, J., was recused and did not participate.

NOBLE (EUGENE) ON H.C.

S160579

Petition for writ of habeas corpus denied

**LABRANCH (GARY WAYNE)
ON H.C.**

S160589

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734; *In re Waltreus* (1965) 62 Cal.2d 218.)

**COX (ANDRE MONTE) ON
H.C.**

S160612

Petition for writ of habeas corpus denied

**SLEDGE (CURTIS LEE) ON
H.C.**

S160613

Petition for writ of habeas corpus denied

**BROWN (JEREMY LACEY)
ON H.C.**

S160614

Petition for writ of habeas corpus denied

**JORGENSEN (DANNY) ON
H.C.**

S160637

Petition for writ of habeas corpus denied

**RAMIREZ (JOSE JUAN) ON
H.C.**

S160639

Petition for writ of habeas corpus denied

BROWN (PETER) ON H.C.

S160645

Petition for writ of habeas corpus denied

**GIRALDES, JR., (LARRY) ON
H.C.**

S160647

Petition for writ of habeas corpus denied

BARUCH (JUAN) ON H.C.

S160649

Petition for writ of habeas corpus denied

**CHISM III (WILLIAM
HENRY) ON H.C.**

S160653

Petition for writ of habeas corpus denied
(See *In re Miller* (1941) 17 Cal.2d 734.)

**CHARITY (TIMMY O'NEIL)
ON H.C.**

S160727

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

**RODRIGUEZ (JORNAY R.)
ON H.C.**

S160733

Petition for writ of habeas corpus denied

**SIMPSON (SHABONDY) ON
H.C.**

S160796

Petition for writ of habeas corpus denied

DEAYON (OMAR) ON H.C.

S160798

Petition for writ of habeas corpus denied

**SAXTON (JOHNNY LEE) ON
H.C.**

S160802

Petition for writ of habeas corpus denied

**MORRIS III (THEODORE
MATTHEW) ON H.C.**

S160804

Petition for writ of habeas corpus denied

**SALAZAR (MARCO
ANTONIO) ON H.C.**

S160817

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

SMITH (JAMES E.) ON H.C.

S160820

**RODRIGUEZ (LUIS
GUSTAVO) ON H.C.**

Petition for writ of habeas corpus denied
(See *In re Miller* (1941) 17 Cal.2d 734; *In re Clark* (1993) 5 Cal.4th 750.)

S160827

**ELLIOTT (LESLIE W.) ON
H.C.**

Petition for writ of habeas corpus denied

S160829

**CHAVEZ (MICHAEL E.) ON
H.C.**

Petition for writ of habeas corpus denied

S160831

**RANGEL (RODRIGO) ON
H.C.**

Petition for writ of habeas corpus denied

S160832

JONES (TYRONE L.) ON H.C.

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain*
(1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S160841

**MCCOY (ALEXANDER) ON
H.C.**

Petition for writ of habeas corpus denied

S160843

**CASSIDY (MARYLINN J.) ON
H.C.**

Petition for writ of habeas corpus denied
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S160847

Petition for writ of habeas corpus denied
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**JONES (RICARDO ISON) ON
H.C.****S160875**

The petition for writ of habeas corpus is denied without prejudice to any relief to which petitioner might be entitled after this court decides *In re Gomez*, S155425: whether a habeas corpus petitioner whose conviction became final after *Blakely v. Washington* (2004) 542 U.S. 296 but before *Cunningham v. California* (2007) 549 U.S. 270, 127 S.Ct. 856, is entitled to the benefit of the high court's decision in *Blakely*.

KNOWLES (DEON) ON H.C.**S160942**

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**MCCOY (ALEXANDER) ON
H.C.****S163806**

Petition for writ of habeas corpus denied

**JOHNSON (JERMAINE) ON
H.C.****S163832**

Petition for writ of habeas corpus denied
(See *In re Dexter* (1979) 25 Cal.3d 921.)

**RODRIGUEZ (ANDY
DELGADO) ON H.C.****S164304**

Petition for writ of habeas corpus denied

**WILLIAMS (TEDDY S.) ON
H.C.****S164470**

Petition for writ of habeas corpus denied

BIGGS (JEFFREY J.) ON H.C.

S164681**SIMPSON (SHABONDY) ON
H.C.**

Petition for writ of habeas corpus denied

S159066**STRONG ON RESIGNATION**

Order: (dispositive)

This court having received and considered the voluntary resignation of ROGER ALAN STRONG, State Bar No. 106390, as a member of the State Bar of California, declines to accept the resignation. (Cal. Rules of Court, rule 9.21(d).)

S163411

A113034 First Appellate District, Div. 2

**1100 PARK LANE
ASSOCIATES v. FELDMAN
(KONRAD)**

Depublication request denied (case closed)

S066940**PEOPLE v. CLARK
(WILLIAM CLINTON)**

Extension of time granted

Good cause appearing, and based upon counsel Peter Giannini's representation that he anticipates filing the reply brief by January 31, 2009, counsel's request for an extension of time in which to file that brief is granted to September 12, 2008. After that date, only three further extensions totaling about 140 additional days are contemplated.

S081918**PEOPLE v. MCKINZIE
(KENNETH)**

Extension of time granted

Good cause appearing, and based upon counsel Gregory L. Cannon's representation that he anticipates filing the appellant's opening brief by November 1, 2008, counsel's request for an extension of time in which to file that brief is granted to September 11, 2008. After that date, only one further extension totaling about 50 additional days is contemplated.

S084292**ROGERS (DAVID KEITH) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General George M. Hendrickson's representation that he anticipates filing the return to the order to show cause by September 16, 2008, counsel's request for an extension of time in which to file that document is granted to September 16, 2008. After that date, no further extension is contemplated.

S092615**PEOPLE v. DEEN (OMAR
RICHARD)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to September 16, 2008.

S104144**PEOPLE v. PEREZ, JR.,
(JOSEPH ANDREW)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to September 8, 2008.

S118147**PEOPLE v. MIRANDA-
GUERRERO (VICTOR M.)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to September 22, 2008.

S121365**SNOW (PRENTICE JUAN) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Ellen Birnbaum Kehr's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by November 1, 2008, counsel's request for an extension of time in which to file that document is granted to September 10, 2008. After that date, only one further extension totaling about 50 additional days is contemplated.

S146501**ALVAREZ (MANUEL
MACHADO) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Assistant Federal Defender Jennifer M. Corey's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by December 18, 2008, counsel's request for an extension of time in which to file that brief is granted to September 16, 2008. After that date, only two further extensions totaling about 90 additional days are contemplated.

**S155689
GALEN)****DAVENPORT (JOHN
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Federal Public Defender Statia Peakheart's and David Evan's representation that they anticipate filing the reply to the informal response to the petition for writ of habeas corpus by September 15, 2008, counsel's request for an extension of time in which to file that document is granted to September 15, 2008. After that date, no further extension is contemplated.

S157098**BUNYARD (JERRY
THOMAS) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Robert C. Nash's representation that he anticipates filing the informal response to the petition for writ of habeas corpus by September 1, 2008, counsel's request for an extension of time in which to file that document is granted to September 2, 2008. After that date, no further extension is contemplated.

S162508**ALLEN (MICHAEL
DAMONE) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Gary A. Lieberman's representation that he anticipates filing the informal response to the petition for writ of habeas corpus by December 8, 2008, counsel's request for an extension of time in which to file that document is granted to September 9, 2008. After that date, only two further extensions totaling about 90 additional days are contemplated.

S122611**PEOPLE v. STESKAL
(MAURICE GERALD)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Gilbert Gaynor is hereby appointed to represent appellant Maurice Gerald Steskal for the direct appeal in the above automatic appeal now pending in this court.

S111336**FIGUEROA (VICENTE
BENAVIDES) ON H.C.**

Motion denied

Petitioner's "Motion to File a Supplemental Petition for Writ of Habeas Corpus," filed April 22, 2008, is denied without prejudice to the filing of a reply to the informal response to be filed by respondent in this matter. The reply may include the allegations and exhibits contained in the February 20, 2004, reply to the informal response to the original petition for writ of habeas corpus.

S162325**ARDALAN ON DISCIPLINE**

It is hereby ordered that KAVEH ARDALAN'S, request for rehearing of State Bar discipline is denied.

